

Supporting Statement for Paperwork Reduction Act Submission

OMB Control Number 1018-XXXX

Control and Management of Resident Canada Geese

50 CFR 20.21, 21.49, 21.50, 21.51, 21.52 and 21.61

Specific Instructions

A. Justification

This supports our request for approval to collect information associated with the program to control and manage resident Canada geese. This program:

- Allows State and tribal wildlife management agencies, airports, and landowners sufficient flexibility, within predefined guidelines, to reduce resident Canada goose populations in order to protect personal property and agricultural crops, protect other interests from injury, resolve or prevent injury to people, property, agricultural crops, or other interests from resident Canada geese, and contribute to potential concerns about human health.
- Authorizes, airports, landowners, and State and tribal wildlife agencies (or their authorized agents) to conduct (or allow) management activities, including the take of birds, on resident Canada goose populations.
- Authorizes direct population control strategies such as nest and egg manipulation and destruction, gosling and adult trapping and culling programs, expanded methods of take to increase hunter harvest, or other general population reduction strategies.

1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection. Attach a copy of the appropriate section of each statute and regulation mandating or authorizing the collection of information.

This information collection is associated with regulations implementing the Migratory Bird Treaty Act (MBTA; 16 U.S.C. 703 et seq.). Under the MBTA, the Service is responsible for ensuring that migratory bird populations do not become threatened or endangered. To fulfill our responsibility to conserve migratory birds, we must be able to estimate how many geese are being taken under the new program. We also need to know that birds are being taken for purposes that are in compliance with the Act. To give States the needed flexibility to address the problems caused by resident Canada geese, the regulations consist of three main program components:

a. Specific Control and Depredation Orders. The first component consists of four specific control and depredation orders designed to address resident Canada goose depredation, damage, and conflict management. The appropriate State or tribal wildlife agency, Fish and Wildlife Service or other official agent (such as the U.S. Department of Agriculture's Wildlife Services), or, in some cases, landowners and airport managers will conduct actions under these orders. The control and depredation orders will be for resident Canada goose populations only and, as such, can only be implemented between April 1 and August 31, except for the take of nests and eggs which can be implemented in March.

(1) *Airport Control Order.* This regulation (50 CFR 21.49) establishes a control order authorizing airport managers at commercial, public, and private airports and military air operation facilities to establish and implement a resident Canada goose control and management program when necessary to protect public safety and allow resolution or prevention of airport and military airfield safety threats from resident Canada geese. Control and management activities include direct control strategies

such as trapping and relocation, nest and egg destruction, gosling and adult trapping and culling programs, or other control strategies. The intent of this alternative is to significantly reduce resident Canada goose populations at airports, where there is a demonstrated threat to human safety and aircraft. Airports and military airfields could conduct management and control activities between April 1 and September 15. The destruction of resident Canada goose nests and eggs could take place between March 1 and June 30.

(2) *Nest and Egg Depredation Order.* This regulation (50 CFR 21.50) establishes a depredation order authorizing private landowners and managers of public lands to destroy resident Canada goose nests and take resident Canada goose eggs on property under their jurisdiction when necessary to resolve or prevent injury to people, property, agricultural crops, or other interests. The goal of this program is to stabilize resident Canada goose breeding populations, not directly reduce populations, and thus prevent an increase in long-term conflicts between geese and people. Landowners could conduct resident Canada goose nest and egg destruction activities between March 1 and June 30.

(3) *Agricultural Depredation Order.* This regulation (50 CFR 21.51) establishes a depredation order at agricultural facilities by authorizing States and tribes, via the State or tribal wildlife agency, to implement a program to allow landowners, operators, and tenants actively engaged in commercial agriculture to conduct direct damage management actions such as nest and egg destruction, gosling and adult trapping and culling programs, or other wildlife-damage management strategies on resident Canada geese when the geese are committing depredations to agricultural crops and when necessary to resolve or prevent injury to agricultural crops or other agricultural interests from resident Canada geese. The program is restricted to the States and tribes in the Atlantic, Central, and Mississippi Flyways. Authorized agricultural producers could conduct management and control activities between May 1 and August 31. The destruction of resident Canada goose nests and eggs could take place between March 1 and June 30. All management actions would have to occur on the premises of the depredation area.

(4) *Public Health Control Order.* This regulation (50 CFR 21.52) establishes a control order authorizing States and tribes, via the State or tribal wildlife agency, to conduct resident Canada goose control and management activities including direct control strategies when resident Canada geese are posing a direct threat to human health. A direct threat to human health is one where a Federal, State, tribal, or local public health agency recommends removal of resident Canada geese that the agency has determined pose a specific, immediate human health threat by creating conditions conducive to the transmission of human or zoonotic pathogens. The State or tribe could not use this control order for situations in which resident Canada geese were merely causing a nuisance. Management and control activities can be conducted between April 1 and August 31. The destruction of resident Canada goose nests and eggs can take place between March 1 and June 30. Resident Canada geese can be taken only within the specified area of the direct threat to human health.

b. Expanded Hunting Methods and Opportunities. The second component provides expanded hunting methods and opportunities to increase the sport harvest of resident Canada geese above that which results from existing September special Canada goose seasons by providing new regulatory options to State and tribal wildlife management agencies to potentially increase the harvest of resident Canada geese. It authorizes the use of additional hunting methods such as electronic calls, unplugged shotguns, and expanded shooting hours (one-half hour after sunset) during existing, operational, special September Canada goose seasons (i.e., September 1–15). Utilization of these additional hunting methods during any new special seasons or other existing, operational special seasons (i.e., September 15–30) requires demonstration of a minimal impact to migrant Canada goose populations and must be authorized on a case-by-case basis through the normal migratory bird hunting regulatory process. All expanded hunting methods and opportunities will be conducted outside of any other open waterfowl season (i.e., when all other waterfowl and crane hunting seasons were closed) and restricted to States and tribes (or portions of States) in the Atlantic, Central, and Mississippi Flyways. Only State and tribal wildlife

agencies in these States can authorize the use of the additional hunting methods for resident Canada geese.

c. Population Control or Management Take. The third component authorizes the Director, Fish and Wildlife Service to implement a resident Canada goose population control program or management take. Management take is a special management action needed to reduce certain wildlife populations when traditional and otherwise authorized management measures are unsuccessful, not feasible for dealing with, or applicable, in preventing injury to property, agricultural crops, public health, and other interests from resident Canada geese. Management take would enable States and tribes to use hunters to harvest resident Canada geese, by way of shooting in a hunting manner, during the August 1 through August 31 period using additional methods of taking resident Canada geese; i.e., allow shooting hours to extend to one-half hour after sunset and remove daily bag limits for resident Canada geese. The intent of the program is to reduce resident Canada goose populations to protect personal property and agricultural crops, protect other interests from injury, resolve or prevent injury to people, property, agricultural crops, or other interests from resident Canada geese, and contribute to potential concerns about human health when all other methods fail to address, or are not feasible for dealing with, or applicable to, the injuries caused by resident Canada geese. The management take component is restricted to the States and tribes in the Atlantic, Central, and Mississippi Flyways.

The Fish and Wildlife Service has primary authority for the management of resident Canada geese. Under this program, the individual States, tribes, or directed public (airports and landowners) are authorized to implement the provisions of the regulations within the guidelines established by the Service. In addition to specific strategies, we will continue the use of special and regular hunting seasons, issued under 50 CFR 20, and the issuance of depredation permits and special Canada goose permits, issued under 50 CFR 21.41 and 21.26, respectively.

2. Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection. [Be specific. If this collection is a form or a questionnaire, every question needs to be justified.]

We will use the information required in 50 CFR Part 21, Subpart E to administer this program, particularly to monitor the status of resident Canada goose populations and to assess the impacts that alternative regulatory strategies may have on resident Canada goose populations. We require the information collections in order to authorize State and tribal governments responsible for migratory bird management to take (or allow the take of) resident Canada geese within the program guidelines. The new regulations contain the following information collections:

Airport Control Order - airports and military airfields operating under this order must:

- Submit information on birds carrying metal leg bands to the Bird Banding Laboratory (21.49(d)(4)). OMB has approved this information collection under OMB Control No. 1028-0082.
- Submit an annual report summarizing activities, including the date and numbers and location of birds, nests, and eggs taken by December 31 (21.49(d)(8)).
- Immediately report the take of any species protected under the Endangered Species Act (21.49(d)(1)).

Nest and Egg Depredation Order - landowners operating under this order must:

- Register with the Service (21.51(d)(1)). Registration includes name of landowner, names of designated agents, location of management activities, and contact information.
- Complete an annual report summarizing activities, including the date, numbers, and location of nests and eggs taken by October 31 (21.51(d)(6)).

- Immediately report the take of any species protected under the Endangered Species Act (21.51(d)(8)).

Agricultural Depredation Order

- Authorized agricultural producers and their employees and agents must submit information on birds carrying metal leg bands to the Bird Banding Laboratory 21.51(d)(5). OMB has approved this information collection under OMB Control No. 1028-0082.
- Authorized agricultural producers must (1) keep and maintain a log that indicates the date and number of birds killed and the date and number of nests and eggs taken under this authorization; maintain the log for a period of 3 years (and records for 3 previous years of takings at all times thereafter); and make the log and any related records available to Federal, State, or tribal wildlife enforcement officers (21.51(d)(8)).
- States and tribes must submit by December 31 an annual report summarizing activities, including the numbers and county of birds, nests, and eggs taken (21.51(d)(10)).
- Persons operating under this order must immediately report the take of any species protected under the Endangered Species Act (21.51(d)(12)).

Public Health Control Order - States and tribes must:

- Submit information on birds carrying metal leg bands to the Bird Banding Laboratory (21.52(e)(4)). OMB has approved this information collection under OMB Control No. 1018-0022.
- Submit by December 31 an annual report summarizing activities, including the numbers and county of birds taken (21.52(e)(9)).
- Immediately report the take of any species protected under the Endangered Species Act (21.52(e)(10)).

Population Control of Resident Canada Geese - States and tribes:

- After the first full operation year under the regulations at 50 CFR 21.49 through 21.52, may request approval for the population control program. Requests must include a discussion of the State's or tribe's efforts to address its injurious situations or a discussion of the reasons why the methods authorized by these regulations are not feasible for dealing with, or applicable to, the injurious situations that require further action. Requests must provide detailed information of the injuries that continue, why the authorized methods have not worked, and why methods not utilized could not resolve the injuries (21.61(d)).
- Must keep annual records of activities carried out under the authority of the program including (1) the number of individuals participating in the program; (2) the number of days individuals participated in the program; (3) the total number of resident Canada geese shot and retrieved during the program; and (4) the number of resident Canada geese shot but not retrieved (21.61(d)(7)).
- Must submit by June 1 an annual report summarizing activities conducted under the program and an assessment of the continuation of injuries (21.61(d)(7)(iv)).
- Must provide by August 1 an annual estimate of the breeding population and distribution of resident Canada geese in their State (21.61(h)).

3. **Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also describe any consideration of using**

information technology to reduce burden [and specifically how this collection meets GPEA requirements.].

As part of a Servicewide effort to make the migratory bird permitting process easier, we will maintain an electronic registration and reporting site for landowners operating under the nest and egg depredation order (21.50) as the sole information collection method. We also plan to implement a similar site for airports under the Airport Control Order (21.49); however, this site will likely not be operational until a year after implementation of the regulations. For the State and tribal wildlife agency information, we will request information be either electronically submitted or mailed to us through standard mail.

4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in Item 2 above.

While this information collection is associated with a new regulation and thus is largely not being gathered elsewhere, we believe that some current information collection efforts and costs would be reduced with the new regulation.

Current Information Collection Burden (OMB Control No. 1018-0022)

For migratory bird depredation permits (those permits issued under 50 CFR 21.41), 49 percent of all depredation permits were issued for resident Canada geese in 2003. Information supplied to OMB for information collection purposes shows that the Service normally expects approximately 1,016 applications for depredation permits each year from new applicants and approximately 2,000 renewal requests from existing permittees. The amount of time it takes a new applicant to provide the information collected depends on the specifics of the permit. Some applicants only need to take one or several birds, in which case it takes about 1 hour to complete the application. Other applicants may need authorization for large numbers of birds, in which case it may take about 5 hours to complete the application. We estimated it takes the average new applicant an average of 3 hours to complete the application, with a total burden assumed by all new applicants of 1,494 hours (1,016 applications x 3 hours x 0.49 percent of all depredation permits). We estimated it takes an average of 1 hour to complete a renewal request, with a total burden hour assumed by all renewal applicants of 980 hours (2,000 applications x 1 hours x 0.49 percent of all depredation permits). The total burden estimate assumed by new applicants and renewal applicants is 2,474 hours (1,494 + 980).

Holders of depredation permits are also required to submit an annual report detailing the number of birds, eggs, or nests actually taken under the permit. The Service uses this information to determine whether a permit holder is in compliance with the permit and to track the number of birds actually taken from the wild and monitor the impact on the resource. All permits require an annual report. As with the application, the amount of time it takes to complete the annual report depends on the scope of the permit and the number of birds taken under it. We estimated it takes an average of 1.5 hours to complete the annual report. Therefore, the total annual report burden assumed by all depredation permittees would be 4,524 hours or less (3,016 permit holders x 1.5 hours). The total annual report burden to resident Canada goose depredation permit holders is 2,217 hours (3,016 depredation permit holders x 1.5 hours x .49 percent of all depredation permits).

Additionally, the annual “out-of-pocket” cost to the applicants is approximately \$98,030 (3,016 permit holders x 0.49 percent of all depredation permits multiplied by an average application processing fee of \$66.33 – *Note: Application fees are either \$50 or \$100 depending on the applying entity. Homeowners, who we assumed comprise approximately 2/3 of all applicants, are charged \$50, while all others are charged \$100.*)

For Special Canada Goose Permits, information supplied to OMB for information collection purposes

shows that the Service normally expects approximately five State wildlife agencies to apply for a Special Canada Goose Permit each year. We estimated it takes an average of 6 hours to complete the application, with a total burden assumed by all applicants of 30 hours. Eventually, we anticipate approximately 45 permits may be active in future years.

Like depredation permits, each permittee is also required to submit an annual report detailing the number of birds, eggs, or nests actually taken under the permit. The Service uses this information to determine whether a permit holder is in compliance with the permit and also to enable us to monitor the impact on the resource. We estimate it takes an average of 1 hour to complete the annual report. Therefore, the total annual report burden assumed by all applicants is 45 hours or less, and the total annual burden to Special Canada Goose Permit holders is 75 hours (30 hours + 45 hours).

There is no annual "out-of-pocket" cost to the respondents because State agencies are exempt from the \$100 application processing fee (50 CFR 13.11).

Existing Information Collection Burden Eliminated

Based on information in our Final Environmental Impact Statement (FEIS) on resident Canada goose management and our analysis of existing permits in the Service's Permit Information Tracking System, we estimate that 885 nests and egg permits, 264 airport permits, 95 public health permits, and 85 agricultural depredation permits would be affected by the new regulations (for a total of 1,329 permits). Further, Wildlife Services annually receives approximately 2,000 requests for technical assistance for property damage caused by resident Canada geese. In 2000, the Service issued about 1,600 depredation permits for resident Canada geese. We believe these numbers are fairly representative of the current needs status. However, we also recognize that some unknown number of needs for assistance go unreported due to either higher individual resident Canada goose damage tolerance levels or personal perceptions that the obtained assistance would not "solve" the problem. Additionally, we know that States operating under the Special Canada Goose Permit (50 CFR 21.26) have been issuing individual authorizations within their respective States. For example, in 2000, the States of Michigan, Minnesota, Missouri, and Ohio, operating under a Special Canada Goose Permit, issued 528 authorizations to individuals within their respective States. These authorizations enabled the named individual(s) to conduct control and management activities on resident Canada geese under the auspices of the State wildlife agency. Had these States not held the special permit, we believe some number of these individuals would have applied for depredation permits from the Service.

We expect that this rule would alleviate at least approximately 1,300 current or potential permit holders from the requirement of applying for a Federal depredation permit to control and manage resident Canada geese. Thus, under this rule, paperwork burden would be eliminated in two main areas: application submission and annual reporting requirements.

Under the application-associated burden, using an average of 3.0 hours to complete an application for a depredation permit, we estimate that approximately 3,900 hours (1,300 applicants x 3.0 hours) of existing or potential burden would be eliminated with this rule. Additionally, the associated annual "out-of-pocket" cost to the current and potential applicants that would be eliminated is approximately \$86,229 (1,300 applicants multiplied by a \$66.33 minimum application processing fee (\$50 for homeowners and \$100 for regular applicants)).

Under the burden associated with annual reporting requirements, a similar elimination of existing burden would occur. Normally, holders of depredation permits are required to submit an annual report detailing the number of birds, eggs, or nests actually taken under the permit. The Service uses this information to determine whether a permit holder is in compliance with the permit and to track the number of birds actually taken from the wild and monitor the impact on the resource. While most annual reporting

requirements would be eliminated under the rule, a few would remain (those required for airports, landowners, and the State and Tribal wildlife agencies summarizing activities. As with the normal permit application, the amount of time it takes to complete the annual report depends on the scope of the activities. We estimate it normally takes an average of 1.5 hours to complete the annual report for a depredation permit. Thus, we estimate that the rule would eliminate a total annual burden of 1,950 hours (1,300 x 1.5 hours) of the existing depredation permit burden associated with the existing reporting requirements. There is, however, new burden associated with the final rule, which is discussed in Item 12.

States currently operating under the existing Special Canada Goose Permit would experience some changes in burden if they opt to operate under the new program. Currently each permittee (i.e., State wildlife agency) is required to submit not only an application for the permit, but an annual report detailing the number of birds, eggs, or nests actually taken under the permit. Burden requirements for the application would be eliminated for those States that opt to participate in the new management program. However, under the new program, annual reports would continue to be required for State wildlife agencies summarizing management activities under ' 21.51, 21.52 and 21.61, similar to that required under the Special Canada Goose Permit program. We estimate it would take an average of 2 hours to complete this annual report (the same as that estimated under the Special Canada Goose Permit program). We estimate that the new program would not significantly affect the overall burden associated under both programs of approximately 90 hours (45 States x 2 hours) or less. These are further discussed in Item 12.

5. If the collection of information impacts small businesses or other small entities (Item 5 of OMB Form 83-I), describe any methods used to minimize burden.

Respondents are primarily State fish and wildlife agencies, tribes, and the Wildlife Services program of the Animal and Plant Health Inspection Service, U.S. Department of Agriculture (as a likely contracting party with States, tribes, and other local governments), airports, and landowners. Most all actual reporting requirements involve only these entities. Thus, we believe this information collection will not have a significant impact on small entities.

6. Describe the consequence to Federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.

Not conducting this information collection would compromise the Service=s ability to conserve resident Canada goose populations in an informed and responsible manner and could consequently jeopardize the health of resident Canada goose populations in the United States. Further, because of other current and potential impacts on these goose populations (primarily special and regular hunting seasons), we believe that a fairly accurate and complete monitoring of take is warranted.

7. **Explain any special circumstances that would cause an information collection to be conducted in a manner:**
- * **requiring respondents to report information to the agency more often than quarterly;**
 - * **requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;**
 - * **requiring respondents to submit more than an original and two copies of any document;**
 - * **requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records, for more than three years;**
 - * **in connection with a statistical survey, that is not designed to produce valid and reliable results that can be generalized to the universe of study;**
 - * **requiring the use of a statistical data classification that has not been reviewed and approved by OMB;**
 - * **that includes a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or which unnecessarily impedes sharing of data with other agencies for compatible confidential use; or**
 - * **requiring respondents to submit proprietary trade secrets, or other confidential information unless the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.**

There are no such special circumstances.

8. **If applicable, provide a copy and identify the date and page number of publication in the Federal Register of the agency's notice, required by 5 CFR 1320.8(d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice [and in response to the PRA statement associated with the collection over the past three years] and describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden.**

Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported. [Please list the names, titles, addresses, and phone numbers of persons contacted.]

Consultation with representatives of those from whom information is to be obtained or those who must compile records should occur at least once every 3 years — even if the collection of information activity is the same as in prior periods. There may be circumstances that may preclude consultation in a specific situation. These circumstances should be explained.

On August 21, 2003, we published a proposed rule (68 FR 50496), which solicited public comment for 60 days on the information collection and recordkeeping requirements described here.

We received 2,973 public comments on the proposed rule from 2,925 private individuals, 17 State wildlife resource agencies, 15 nongovernmental organizations, 4 Flyway Councils, 1 Federal agency, 8 agricultural interests, and 3 others. Most of the comments from individuals were either submitted via email or computer-generated form letters.

Listed below are the specific comments we received on the paperwork burden and reporting requirements and our response, which is included in the final rule:

Comment: *Given the overabundance of resident Canada geese, micromanagement and detailed reporting of authorized activities is not necessary. The final rule should have less recordkeeping conditions for States and other agencies.*

Response: We do not believe our required recordkeeping and reporting constitute micromanagement. Information specific to the management activities conducted under the selected alternative is vital to the overall evaluation of the program. However, we have scaled-back, reduced, or eliminated many aspects of the activity reporting. For instance, most of the control and depredation order participants previously were required to maintain a logbook under the proposed rule. We have eliminated this requirement for all but those operating under the Agricultural Depredation Order. No participant is required to provide information via a specific instance report. The reporting requirements are essential for us to be able to monitor actions and assess possible impacts to the population.

Comment: *The stringent oversight and reporting requirements of the management take component (formerly known as the conservation order in the DEIS) are an unnecessary burden on States choosing to participate. Harvest estimates should be derived from the Harvest Information Program (HIP).*

Response: Information on hunter participation, methods used, and resident Canada goose harvest is critical for conducting a proper evaluation of the effectiveness of the management take program. There are several reasons why HIP cannot be utilized to estimate these parameters. In order to utilize HIP to estimate resident Canada goose harvest before September 1, the duration of the HIP sampling period would need to be greatly expanded. By doing so, response rates from all migratory game bird hunters will decrease, and memory bias will increase. This will negatively impact the precision and accuracy of not only resident Canada goose estimates, but estimates for all migratory game bird species, including ducks and other goose species. We do not believe the substantial negative impact to HIP estimates of duck and other goose harvest can be justified for the sake of obtaining information on management take harvest. To avoid negative impacts to HIP estimates of other migratory game bird species, a separate resident Canada goose harvest survey could be conducted. However, the current HIP sampling frame is very large and a separate Federal survey would require large sample sizes to ensure that adequate numbers of management take participants were contacted, which is cost-prohibitive. A solution would be to implement a separate Federal resident Canada goose permit to create a sampling frame that would be used to generate harvest estimates. However, the permit would have to be enforced in order to ensure that the sample frame contained all participants. If the sample frame was incomplete, the management take estimates would be biased low. Enforcement and administration of a uniform Federal permit would be difficult. For example, States that participate in the light goose conservation order either have implemented their own permit, or they sample State duck stamp purchasers in order to obtain harvest estimates. We believe States are better equipped to develop harvest surveys tailored specifically to the management take program in their State.

Comment: *The monitoring and reporting requirements described are lacking in content and adequacy.*

Response: We disagree. All the monitoring and reporting requirements are designed to supply us with the level of information necessary to manage these populations.

9. Explain any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees.

We will not provide gifts or payments to respondents.

10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy.

The information that we collect is subject to the requirements of the Privacy Act and the Freedom of Information Act.

11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private. This justification should include the reasons why the agency considers the questions necessary, the specific uses to be made of the information, the explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent.

We do not ask any sensitive questions.

12. Provide estimates of the hour burden of the collection of information. The statement should:

- * **Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. Unless directed to do so, agencies should not conduct special surveys to obtain information on which to base hour burden estimates. Consultation with a sample (fewer than 10) of potential respondents is desirable. If the hour burden on respondents is expected to vary widely because of differences in activity, size, or complexity, show the range of estimated hour burden, and explain the reasons for the variance. Generally, estimates should not include burden hours for customary and usual business practices.**
- * **If this request for approval covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burdens in Item 13 of OMB Form 83-I.**
- * **Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories. The cost of contracting out or paying outside parties for information collection activities should not be included here. Instead, this cost should be included in Item 14.**

Regulation/ Activity	No. of Respondent s	Total Response s	Estimated Completion Time/Response	Total Annual Burden Hours	\$ Value of Burden Hours
21.49 – Airport Control Order Annual Report	364	364	1.5 hours	546	\$16,380
21.50 – Nest & Egg Depr Order Registration Annual Report	2,500 2,500	2,500 2,500	0.5 hours 0.5 hours	1,250 1,250	\$37,500 \$37,500
21.51 – Ag. Depredation Order Recordkeeping Annual Report	600 30	600 30	0.5 hours 8 hours	300 240	\$9,000 \$7,200
21.52 – Public Health Cont Order Annual Report	35	35	1 hour	35	\$1,050
21.61 – Population Control Approval Request Recordkeeping & Annual Report Population Surveys	 30 30	 30 30	 24 hours 160 hours	 720 4,800	 \$21,600 \$144,000
Totals	6,089	6,089		9,141	\$274,230

We estimate that in addition to the 264 airports that currently hold depredation permits for Canada geese, another 100 may operate under §21.49. Thus, we estimate that 364 airports will be required to file an annual report summarizing activities. Allowing for 1.5 hours per annual report, we estimate that the total burden for this activity will be 546 hours.

In addition to the 885 current depredation permits allowing the destruction of resident Canada goose nest and eggs, approximately another 1,500 may operate under §21.50. This estimate takes into account the following factors: (1) those individuals and entities that currently operate under a State's Special Canada Goose Permit (§21.26) will begin to operate under §21.50; and (2) others that may have chosen not to go through the permitting process because of the associated application burden will now opt to participate. Thus, we estimate that 2,500 landowners will be required to register and subsequently file an annual report summarizing their activities. Given our use of a web-based user-friendly process, we estimate that each registration will take 0.5 hours and each annual report will take 0.5 hours. We estimate that the total burden for this activity will be 2,500 hours (1,250 hours for registration and 1,250 hours for reporting).

We estimate that in addition to the 85 current agricultural depredation permits for resident Canada geese, approximately another 500 agricultural producers may operate under §21.50. This estimate takes into account: (1) those individuals and entities that currently operate under a State's Special Canada Goose Permit (§21.26) will begin to operate under §21.51; and (2) others that may have chosen not to go through the permitting process because of the associated application burden will now opt to participate. However, it is important to note that this depredation order is implemented through the State or tribal wildlife agency. While approximately 600 agricultural producers will be required to maintain a logbook under the regulation, the State or tribal wildlife agency will be required to submit an annual report summarizing activities under the program. We estimate that 30 States and tribes will participate in the program. We estimate that maintenance of a logbook requires 0.5 hours per agricultural producer resulting in a burden of 300 hours. We estimate that preparation of each annual report will take 8 hours, including either the collection of information from a representative sample of agricultural producers within a State or the summarization of individual reports from agricultural producers. Thus, we estimate that the total burden for this activity would be 540 hours (300 hours + (30 States x 8 hours)).

Currently, we annually issue around 100 permits for public health instances involving resident Canada geese. However, like the Depredation order for resident Canada geese at agricultural facilities (§21.51), this depredation order is implemented by either the State or tribal wildlife agency. We estimate that 35 States and tribes will participate in the program. Because of the anticipated much smaller number of public health instances, we estimate that preparation of each annual report will take 1 hour. Thus, we estimate that the total burden for this activity would be 35 hours.

Under the AManaged Take@ provisions, there are additional reporting requirements associated with the special management actions authorized under this section. Under ' 21.61, States and tribes must keep detailed records of activities carried out under this section and must submit an annual report summarizing such activities. We expect a maximum of 30 State and tribal wildlife agencies to participate under the authority of this section, requiring an average of 24 hours to collect the information from program participants. Thus, the burden assumed by State and tribal participants will be 720 hours.

Under the new regulations, monitoring will likely be significantly increased, especially for those States requesting to participate in this component of the new regulations with resident Canada goose populations not currently adequately monitored. We estimate that States currently spend in excess of \$220,000 annually monitoring resident Canada goose breeding populations. For the most part, those States with significant numbers of resident Canada geese already do an adequate job of surveying

breeding geese. In the States of the Mississippi Flyway, surveys of resident Canada geese were initiated in 1992 in Ohio and Michigan. By 1993, the survey had expanded to seven States and one Province.

To demonstrate the importance of spring breeding surveys, the 1992 Mississippi Flyway mid-winter survey (conducted in late December and early January) indicated a population of 1.2 million Canada geese and allocated 250,000 to the resident Canada goose population. However, the first extensive resident Canada goose breeding survey estimated a spring population of 710,000 birds. Thus, well-designed and regularly-conducted annual surveys are an invaluable tool for monitoring and evaluating not only population status, but the effectiveness of any regulatory program.

In 1999, the States of the Mississippi Flyway spent \$89,600 in operational costs and 106 staff-days conducting the resident Canada goose breeding population survey (Moser 2000). The annual survey is currently conducted in early April to early May in States and Provinces of the Mississippi Flyway with spring Canada goose populations of at least 10,000 birds. The States of the Atlantic Flyway annually conduct a waterfowl breeding pair survey in mid-April to early May that provides an index to the number of breeding pairs of resident Canada geese. In 1999, the States of the Atlantic Flyway spent \$31,280 in operational costs and 347 staff-days conducting the survey.

We estimate that, based on the information compiled by Moser (2000), the average State resident Canada goose spring breeding population survey will cost approximately \$10,000 annually. Expanding this estimate to those States with both sufficient numbers of resident Canada geese to justify the expense of the survey and sufficient goose conflicts to warrant the added burden of program responsibility would result in an annual resident Canada goose survey expenditure of over \$300,000 nationwide. This estimate would not include any recordkeeping, reporting costs, equipment, or staff time. However, implementation of this alternative in those States with existing adequate survey programs would not necessarily result in any expenditure increases related to surveys. We estimate that approximately 600 staff-days (or 4,800 hours) would be required to conduct the required surveys and prepare the necessary survey reports. However, we believe this estimate accounts for the surveys currently being conducted and is not necessarily new burden hours.

Using an estimate of \$30 per hour, we estimate the total dollar value of the burden would be \$274,230 (9,141 hours x \$30). In addition, we estimate that the required annual resident Canada goose surveys would result in an expenditure of over \$300,000 for those participating States (approximately 30 States). However, we believe this estimate accounts for the surveys currently being conducted and is not necessarily new expenditures.

13. Provide an estimate of the total annual [non-hour] cost burden to respondents or recordkeepers resulting from the collection of information. (Do not include the cost of any hour burden shown in Items 12 and 14).

- * The cost estimate should be split into two components: (a) a total capital and start-up cost component (annualized over its expected useful life) and (b) a total operation and maintenance and purchase of services component. The estimates should take into account costs associated with generating, maintaining, and disclosing or providing the information [including filing fees paid]. Include descriptions of methods used to estimate major cost factors including system and technology acquisition, expected useful life of capital equipment, the discount rate(s), and the time period over which costs will be incurred. Capital and start-up costs include, among other items, preparations for collecting information such as purchasing computers and software; monitoring, sampling, drilling and testing equipment; and record storage facilities.**
- * If cost estimates are expected to vary widely, agencies should present ranges of cost burdens and explain the reasons for the variance. The cost of purchasing or contracting out information collection services should be a part of this cost burden estimate. In developing**

cost burden estimates, agencies may consult with a sample of respondents (fewer than 10), utilize the 60-day pre-OMB submission public comment process and use existing economic or regulatory impact analysis associated with the rulemaking containing the information collection, as appropriate.

- * Generally, estimates should not include purchases of equipment or services, or portions thereof, made: (1) prior to October 1, 1995, (2) to achieve regulatory compliance with requirements not associated with the information collection, (3) for reasons other than to provide information or keep records for the government, or (4) as part of customary and usual business or private practices.

There is no nonhour dollar cost burden to respondents and/or recordkeepers and there is no application fee to participate in any of the control or depredation orders.

14. Provide estimates of annualized cost to the Federal government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses (such as equipment, overhead, printing, and support staff), and any other expense that would not have been incurred without this collection of information. Agencies also may aggregate cost estimates from Items 12, 13, and 14 in a single table.

We estimate that seven Federal Government entities will be involved with the new program (six FWS Regional Offices and the FWS Washington Office). We estimate that each entity will spend approximately 40 hours on this information collection for a total of 280 hours. At an estimated wage of \$30 per hour, salary expenses amount to \$8,400. We estimate that operational expenses will be \$100 per entity, or \$700 for all entities. Thus, we estimate the total annual cost to the Federal Government to be \$9,100.

Number of Federal Government entities involved	7 (6 FWS regional offices, 1 FWS Washington office)
Estimated hours	280 (40 hours per entity)
Estimated salaries	\$8,400 (\$30 per hour x 280 hours)
Estimated operational expenses (paper, postage)	\$700 (\$100 per entity)
Total annual cost to Federal Government	\$9,100

15. Explain the reasons for any program changes or adjustments reported in Items 13 or 14 of the OMB Form 83-I.

This is a new information collection.

16. For collections of information whose results will be published, outline plans for tabulation and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.

We will not publish the results of this information collection.

17. If seeking approval to not display the expiration date for OMB approval of the information

collection, explain the reasons that display would be inappropriate.

We will display the expiration date for OMB approval.

18. Explain each exception to the certification statement identified in Item 19, "Certification for Paperwork Reduction Act Submissions," of OMB Form 83-I.

Not applicable. No exceptions were identified in item 19.

B. Collections of Information Employing Statistical Methods

This information collection does not employ statistical methods.